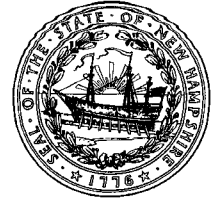




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WET 06-031**

April 14, 2006

Stanley Jackson  
Vintage Lands LLC  
PO Box 417  
Hebron, NH 03241

RE: DES Wetlands File #2005-01891 Ore Hill Rd, Warren

Dear Mr. Jackson:

On April 5, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Warren Tax Map 6 as Lot 13 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

As a result of the inspection, DES personnel observed or learned the following:

1. On August 10, 2005, a Notice of Intent to Cut Wood or Timber was filed with the Department of Revenue Administration;
2. On August 18, 2005, a Notification of Forest Management Activities Having Minimum Wetlands Impact ("Forestry Notification") was filed with DES. The Forestry Notification included a map detailing the proposed location of three 30" x 20' long culverts.
3. The Warren Planning Board gave Vintage Lands LLC approval to subdivide the Property into three lots in 2006.
4. On April 5, 2006, DES inspected the Property. At least three permanent crossings with full headwalls were installed in perennial streams that led to two separate landings.

NH Admin. Rule Wt 303.04(g) defines the criteria of a minimum impact project: "Installation of a culvert, pole, or rock ford and associated fill to permit vehicular access to a piece of property for forest management provided: (1) Access shall not be used for subdivision, development, or other land conversion to non-forestry uses.

Because the Property where the permanent crossings were installed has been converted to a non-forestry use, DES requests the following:

1. By May 15, 2006, submit an after-the-fact standard dredge and fill application (enclosed) to retain each culvert and any other permanent crossing on the Property. The application must comply with all applicable rules and regulations. Should it be determined that any of the impacts are not approvable, DES may require restoration of those areas.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,

 **COPY** For

Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5016

cc: Rene Pelletier, Asst. Director, Water Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Warren Conservation Commission  
Warren Board of Selectmen  
USACOE  
Joseph Matthews, Logger